**THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE**

**AND**

**THE HON'BLE SRI JUSTICE G.CHANDRAIAH**

**WRIT APPEAL No. 430 of 2005**

23-08-2005

Between:

Yadla Lava Kumar & Another.

**.....APPELLANTS/PETITIONERS**

AND

The Government of India, through its Secretary, Ministry of Civil Supplies and Consumer Affairs, Krishna Bhavan, New Delhi & Others.

**.....RESPONDENTS**

**THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE**

And

**THE HON'BLE SRI JUSTICE G.CHANDRAIAH**

**WRIT APPEAL No. 430 OF 2005**

**JUDGMENT** : (Per Hon'ble Sri Bilal Nazki, ACJ)

Grievance of the petitioners was that earlier the weights were measured within a period of one year. By the impugned amendment

to the A.P. Standards of Weights and Measures Rules 1986, the period was enlarged to two years. The earlier Rule states, *"Every weight or measure used or intended to be used in any transaction for industrial production or for production shall be verified or re-verified once in 12 months."* After amendment, '12 months' was replaced by '24 months'. The apprehension of the petitioners was that during the period of 24 months, there would be loss of weights and measures.

We have heard learned Counsel for the parties and also perused the record.

It appears that these apprehensions were considered by the Government, which is evident from letter No.6028/T2/2000, dated 03.07.2000 written by Controller of Legal Metrology to the Secretary to Government. These apprehensions were considered in the light of the views of the Ministry of Food and Consumer Affairs, Department of Consumer Affairs, Government of India in consultation with the National Physical Laboratory, which is the custodian of National Standards. Since the National Physical Laboratory certified that it could be safe to examine these measures once in 24 months, we do not think that we can substitute our opinion to the opinion of the expert body.

For this reason, we do not find any ground to interfere with the judgment of the learned single Judge. Appeal is accordingly dismissed. No order as to costs.

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(BILAL NAZKI, ACJ)

23rd August 2005.

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(G.CHANDRAIAH, J)

ajr